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Attorney Docket No. 3552 P 002

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of:

Wei Wang and Malcolm McCormick)
)
Serial No.: 09/763,908) Examiner: Daniel Robinson
)
Filed: May 17, 2001) Group Art Unit: 3742
)
Entitled: APPARATUS AND METHOD FOR)
DETECTING ABNORMALITIES)
IN BODILY MATTER)

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. § 1.181 TO
WITHDRAW HOLDING OF ABANDONMENT**

This petition is being submitted in response to the Notice of Abandonment mailed July 13, 2004, and received by Applicants on July 19, 2004. The Notice states that no reply was received to the outstanding office action. Applicants' attorney respectfully requests withdrawal of the abandonment.

Applicants' attorney states that a Response to the Office Action mailed **December 16, 2003**, was forwarded to the U.S. Patent and Trademark Office on **June 16, 2004**. The Response was accompanied by a Petition for a 3-Month Extension of Time. The Response and Petition both included the proper certificate of mailing under 37 C.F.R. 1.8. Applicants received the return postcard on June 29, 2004, indicating receipt of the Response to the Office Action and the 3-Month Extension by the U.S. Patent and Trademark Office on June 21, 2004. Further, a telephone message left by Examiner Daniel Robinson on July 20, 2004, likewise confirmed receipt of the Response.

Therefore, Applicants submit that the Patent Office abandoned this application in error and respectfully request that the present application be reinstated.

Pursuant to MPEP § 711.03(c), no fee is required for the present Petition. However, should a fee be required, the Commissioner is hereby authorized to charge any deficiencies in payment to Deposit Account No. 23-0280.

Respectfully submitted,

Date: July 21, 2004

By: Monique A. Morneault

CERTIFICATE OF MAILING

I hereby certify that this correspondence is, on the date shown below, being deposited with the United States Postal Service with first class postage prepaid in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 21, 2004.

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